

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1, 3-10, and 12-20 were pending in this application. Claims 1, 6, 10, and 15 have been amended and claims 9 and 18 have been cancelled. Accordingly, claims 1, 3-8, 10, 12-17 and 19-20 will be pending herein upon entry of this Amendment. Support for the amendment to the claims can be found in the now-cancelled claims.

Examiner Ke is thanked for the courtesies extended to applicants' representative during the telephone interview conducted March 23, 2006 to discuss a proposed amendment to claim 9. No agreement was reached during that interview. Accordingly, applicants have elected to further amend the claims in this case as set forth above.

In the Office Action mailed November 3, 2005, claims 1, 5, 10 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wiser et al. in view of Gongwer in view of Speicher; claims 3-4 and 12-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wiser in view of Gongwer in view of Speicher; claims 6 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wiser in view of Gongwer in view Speicher and further in view of Sauerwine; claims 7-8 and 16-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wiser in view of Gongwer in view Speicher and further in view of Vigneaux; claims 9 and 18 were rejection under 35 U.S.C. §103(a) as being unpatentable over Wiser in view of Gongwer in view Speicher and further in view of Candelore; claim 19 was rejected under 35 U.S.C. §103(a) as being unpatentable over Sparks in view Speicher; and claim

20 was rejected under 35 U.S.C. §103(a) as being unpatentable over Sparks in view Speicher.

These grounds of rejection are respectfully traversed.

Independent claims 1 and 10 have been amended to recite the features of cancelled claims 9 and 18, respectively. Thus, claims 1 and 10 now recite the purchasing aspect of the present invention. The claims require that credits are purchased by the end-user and that the pricing of the credits are inversely proportional to a number of credits purchased. See page 17 of the specification. The Office Action cited to Candelore as allegedly teaching this aspect of the claimed invention. However, the cited passages of Candelore merely describe how an account may be debited for a predetermined amount, e.g., \$5.00, each time a pay-per-view program is viewed. These passages have nothing to do with obtaining LOWER pricing per credit, as the number of credits purchased increases (i.e., the pricing is inversely proportional to the number of credits purchased).

Dependent claims 6 and 15 have been amended to recite that an encoding request form, including a mailing bar code, is provided through the user interface and that the bar code is then used to match shipped media program files to the first request to encode. Sauerwine was relied upon for the teaching of a mailing bar code. However, Sauerwine merely discloses an improved C-fold envelope that happens to include a bar code 136. This reference makes no mention of online services, electronic networks, media encoding, or client requests or selections, or, as now expressly recited, using the bar code for matching shipped program files. In other words, there is absolutely no suggestion or motivation in Sauerwine to use a mailing bar code on a form, provided through a user interface, that is used for shipping media content to be encoded (see

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Figure 2 of application), or for combining the teachings of Sauerwine with the teachings of the asserted combination of Wisner, Gongwer and Speicher.


For at least these reasons, applicants respectfully submit that the claims of this application are allowable over the prior art of record.

Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Date: March 30, 2006

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Attachments: None

LDE/dkp

Customer No. 00909